George A. Mocsary

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Academic Experience

Southern Illinois University School of Law **Carbondale, IL**
Associate Professor **7/13 – present**
Director, Faculty Development.
Director, Business Boot Camp.
Director, Law and Economics Program.
Director, Gene and Katy Simonds Lectureship in Democracy.

- Recipient of the SIU Law Outstanding Scholar Award (April 13, 2017).

Courses:

- Business Organizations
- Contracts I and II
- Judicial Externship
- Corporations
- Accounting for Lawyers
- Firearms Law and the Second Amendment
- Agency and Partnership
- Business Boot Camp

University of Connecticut School of Law **Hartford, CT**
Visiting Assistant Professor **8/11 – 7/13**
Courses: Business Organizations, Legal Accounting.

Teaching & Research Interests

Teaching Interests

- Business Associations
- Contracts
- International Business Transactions
- Commercial Law
- Corporations
- Securities Regulation
- Accounting for Lawyers
- Mergers and Acquisitions
- Unincorporated Business Entities
- Corporate Finance
- Law and Economics
- Firearms Law

Research Interests

- Corporate governance and corporate purpose.
- Economic analysis of law.
- Organizational theory.
- The intersection of financial regulation and financial-economic agency theory.
- Firearms law (with a focus on its intersection with business law and the economic analysis of law).

Publications

Law Journal Articles

- *A Close Reading of an Excellent Distant Reading of* Heller *in the Courts*, 67 Duke L.J. Online (forthcoming 2018).
- *Insuring the Unthinkable*, New Appleman on Ins.: Current Critical Issues in Ins. L. 1 (Spring 2018) (lead article).
- *Freedom of Corporate Purpose*, 2016 BYU L. Rev. 1319 (2017) (lead article). (link)

- *Guns, Bird Feathers, and Overcriminalization: Why Courts Should Take the Second Amendment Seriously*, 14 GEO. J. L. & PUB. POL'Y 17 (2016) (with Robert J. Cottrol). (link)
  - Cited in *Kolbe v. Hogan*, 849 F.3d 114, 154 (4th Cir. 2017) (Traxler, J., dissenting).

- *Insuring Against Guns?*, 46 CONN. L. REV. 1209 (2014) (lead symposium article). (link)

- *The Embedded Firm: Corporate Governance, Labor, and Finance Capitalism—Commentary*, 3 ACCT., ECON. & L. 123 (2014) (peer reviewed essay on incentive issues in corporate governance as they relate to corporate purpose, based on participation in a symposium discussion panel on THE EMBEDDED FIRM: CORPORATE GOVERNANCE, LABOR, AND FINANCE CAPITALISM (Cynthia A. Williams & Peer Zumbansen eds., 2011)). (link)

- *Statistically Insignificant Deaths: Disclosing Drug Harms to Investors (and Patients) Under SEC Rule 10b-5*, 82 GEO. WASH. L. REV. 111 (2013). (link)

- *"This Right Is Not Allowed by Governments That Are Afraid of the People": The Public Meaning of the Second Amendment When the Fourteenth Amendment Was Ratified*, 17 GEO. MASON L. REV. 823 (2010) (with Clayton E. Cramer & Nicholas J. Johnson) (link).
  - Cited in *McDonald v. Chicago*, 561 U.S. 742, 773 n.21, 776 n.25, 780 (2010).
  - Cited in *Ezell v. City of Chicago*, 651 F.3d 684, 702 n.11 (7th Cir. 2011).

- Note, *Explaining Away the Obvious: The Infeasibility of Characterizing the Second Amendment as a Nonindividual Right*, 76 FORDHAM L. REV. 2113 (2008). (link)

BOOKS AND SUPPLEMENTS

- FIREARMS LAW AND THE SECOND AMENDMENT: REGULATION, RIGHTS, AND POLICY (2d ed. 2017) (with Nicholas J. Johnson, David B. Kopel & Michael P. O'Shea).
  - Cited in Illinois v. Chairez, 2018 IL 121417, at 7 n.3 (Ill. Feb. 1, 2018).

- 2015 SUPPLEMENT FOR FIREARMS LAW AND THE SECOND AMENDMENT: REGULATION, RIGHTS, AND POLICY (2015) (with Nicholas J. Johnson, David B. Kopel & Michael P. O'Shea).

- FIREARMS LAW AND THE SECOND AMENDMENT: REGULATION, RIGHTS, AND POLICY online chs. 12-15 (2014) (with Nicholas J. Johnson, David B. Kopel & Michael P. O'Shea). (link)

- TEACHER'S MANUAL FOR FIREARMS LAW AND THE SECOND AMENDMENT: REGULAT1286 ION, RIGHTS, AND POLICY (2012) (with Nicholas J. Johnson, David B. Kopel & Michael P. O'Shea).

- FIREARMS LAW AND THE SECOND AMENDMENT: REGULATION, RIGHTS, AND POLICY (2012) (with Nicholas J. Johnson, David B. Kopel & Michael P. O'Shea) (first casebook on firearms law).
  - Cited in *Drake v. Filko*, 724 F.3d 426, 441 n.3, 441 n.5, 442 (3d Cir. 2013) (Hardiman, J., dissenting).
  - Cited in *Heller v. District of Columbia*, 670 F.3d 1244, 1287 (D.C. Cir. 2011) (Kavanaugh, J., dissenting).

OTHER ARTICLES

- *States have a constitutional duty to recognize gun rights nationwide*, THE HILL (Dec. 27, 2017), http://thehill.com/opinion/international/366599-states-have-a-constitutional-duty-to-recognize-gun-rights-nationwide (with Rafael Mangual).

- *Defying the Supreme Court in* Kolbe v. Hogan, LIBR. L. & LIBERTY (Dec. 20, 2017), http://www.libertylawsite.org/2017/12/20/defying-the-supreme-court-in-kolbe-v-hogan/.

- *Are There Guns in Mayberry?*, LIBR. L. & LIBERTY (Oct. 17, 2016), http://www.libertylawsite.org/book-review/are-there-guns-in-mayberry/ (reviewing JENNIFER CARLSON, CITIZEN-PROTECTORS: THE EVERYDAY POLITICS OF GUNS IN AN AGE OF DECLINE (2015)).

- *Incentive Engineering*, LIBR. L. & LIBERTY (July 27, 2015), http://www.libertylawsite.org/book-review/incentive-engineering (reviewing ROBERT D. COOTER & ARIAL PORAT, GETTING INCENTIVES RIGHT: IMPROVING TORTS, CONTRACTS, AND RESTITUTION (2014)).

- *Shareholder Wealth Maximization: A Response to Cynthia Williams*, LIBR. L. & LIBERTY (Feb. 20, 2014), http://www.libertylawsite.org/liberty-forum/shareholder-wealth-maximization-a-response-to-cynthia-williams.

- *Why the Corporation Is Not Merely a Nexus of Contracts: A Response to Alexei Marcoux*, LIBR. L. & LIBERTY (Dec. 20, 2013), http://www.libertylawsite.org/liberty-forum/why-the-corporation-is-not-merely-a-nexus-of-contracts.

- *The Future of Shareholder Wealth Maximization*, LIBR. L. & LIBERTY (Dec. 2, 2013), http://www.libertylawsite.org/liberty-forum/the-future-of-shareholder-wealth-maximization.

- *Monopoly of Violence*, CLAREMONT REV. OF BOOKS, Summer 2010, at 46 (reviewing ROBERT H. CHURCHILL, TO SHAKE THEIR GUNS IN THE TYRANT'S FACE (2008)). (link)

PRESENTATIONS AND WORKSHOPS

- Discussant at the Southeastern Association of Law Schools 2018 Annual Meeting Discussion Group: The Role of Corporate Personhood in *Masterpiece Cakeshop* (Aug. 11, 2018).

- Discussant at the Southeastern Association of Law Schools 2018 Annual Meeting Discussion Group: *United States v. Martoma* and the Future of Insider Trading Law (Aug. 9, 2017).

- Commenter at the Southeastern Association of Law Schools 2018 Annual Meeting Prospective Law Teachers Mock Interview Workshop (Aug. 7, 2018).

- Presentation at the Campbell Law Review Symposium: *Heller* After Ten Years, *Heller* and Public Carry Restrictions Panel (Feb. 2, 2018).

- *Insider Trading, Demonization of the Financial Sector, and Judicial Complacency*, Presentation at the Federalist Society 2018 Faculty Conference (Jan. 4, 2018).

- Moderator at the Federalist Society 2018 Faculty Conference, Works in Progress Panel (Jan. 5, 2018).

- *Freedom of Corporate Purpose*, Presentation at Mercer University School of Law (Nov. 9, 2017) (invited to participate in speaker series).

- *Insider Trading, Demonization of the Financial Sector, and Judicial Complacency*, Presentation at the Central States Law Schools Association 2017 Annual Meeting (Oct. 7, 2017).

- *Guns, Bird Feathers, and Overcriminalization: Why Courts Should Take the Second Amendment Seriously*, Constitution Day Address at John A. Logan College (Sept. 18, 2017).

- Reviewer at the Southeastern Association of Law Schools 2017 Annual Meeting Prospective Law Teachers CV Review Session (Aug. 2, 2017).

- Discussant at the Southeastern Association of Law Schools 2017 Annual Meeting Discussion Group: Three Felonies a Day?: Is There a Problem of White-Collar Overcriminalization? (Aug. 1, 2017).

- *Guns, Bird Feathers, and Overcriminalization: Why Courts Should take the Second Amendment Seriously*, Keynote Address at the Federalist Society's Lawyer Division's Chicago Chapter's Fourth Annual Otis McDonald Memorial Second Amendment Lecture (May 6, 2017).

- Moderator at the Federalist Society 2017 Faculty Conference, Works in Progress Panel (Jan. 5, 2017).

- Commentator at the George Mason University School of Law, Law and Economics Center's Research Roundtable on Solving the Public Pension Crisis (Sept. 29-30, 2016) (invited to review and comment on nine scholarly papers accepted for publication).

- *Freedom of Corporate Purpose*, Presentation at the Southeastern Association of Law Schools 2016 Annual Meeting (Aug. 6, 2016).

- Commenter at the Southeastern Association of Law Schools 2016 Annual Meeting Prospective Law Teachers Mock Job Talk Workshop (Aug. 5, 2016).

- Commenter at the Southeastern Association of Law Schools 2016 Annual Meeting Prospective Law Teachers Mock Interview Workshop (Aug. 4, 2016).

- *Freedom of Corporate Purpose*, Presentation at the University of Iowa College of Law Faculty Workshop (Feb. 4, 2016).

- Workshop Participant at the George Mason University School of Law, Law and Economics Center's Workshop on the Contractual Theory of the Corporation (Jan. 20-22, 2016).

- Workshop Participant at the George Mason University School of Law, Law and Economics Center's Workshop for Law Professors on the Economics of the Rule of Law (Dec. 11-14, 2015).

- *Freedom of Corporate Purpose*, Presentation at the University of Chicago Law School Legal Scholarship Workshop (Nov. 23, 2015).

- Author Participant and Organizer at the Theory of the Firm Colloquium presented by the Federalist Society and the John Templeton Foundation (Nov. 6-7, 2015) (featured readings included George A. Mocsary, *Freedom of Corporate Purpose*, 2016 BYU L. REV. 1319 (2017) and George A. Mocsary, *Why the Corporation Is Not Merely a Nexus of Contracts: A Response to Alexei Marcoux*, LIBR. L. & LIBERTY (Dec. 20, 2013), http://www.libertylawsite.org/liberty-forum/why-the-corporation-is-not-merely-a-nexus-of-contracts).

- Workshop Participant at the George Mason University School of Law, Law and Economics Center's Workshop for Law Professors on the Economics of Public Pension Reform (Sept 17-20, 2015).

- Workshop Participant at the George Mason University School of Law, Law and Economics Center's Workshop for Law Professors on Austrian Law and Economics (Oct. 2-3, 2014).

- Guest Presenter and Workshop Participant at the George Mason University School of Law, Law and Economics Center's Economics Institute for Law Professors (June 15-26, 2014) (taught a segment on game theory in corporate law).

- Workshop Participant at the George Mason University School of Law, Law and Economics Center's Workshop for Law Professors on Risk, Injury, Liability, and Insurance (Jan. 30 - Feb. 1, 2014).

- Presentation at the AALS 2014 Annual Meeting, Criminal Justice Panel: The Problematics of Possessory Offenses (Jan. 5, 2014) (discussing the potential for liability insurance mandates to lead to status criminality).

- *Insuring Against Guns?*, Presentation at the University of Chicago Law School Legal Scholarship Workshop (Nov. 25, 2015).

- *Insuring Against Guns?*, Presentation at the Connecticut Law Review Symposium: Up in Arms: The Second Amendment in the Modern Republic, Tragedy and Gun Control: The Legislative Response Panel (Nov. 15, 2013).

- Moderator at the Connecticut Law Review Symposium: Up in Arms: The Second Amendment in the Modern Republic, Litigating the Affirmed Right to Arms Panel (Nov. 15, 2013).

- *The Second Amendment as Tyranny Control*, Presentation at the Indiana Tech Law School Symposium: On the Question of Regulating Guns (Nov. 8, 2013).

- *Insuring Against Guns?*, Presentation at the Indiana Tech Law School Faculty Workshop (Nov. 7, 2013).

- Discussant at the Society for the Advancement of Socio-Economics 2012 Annual Meeting, Authors meet Critics Panel (June 29, 2012) (discussing THE EMBEDDED FIRM: CORPORATE GOVERNANCE, LABOR, AND FINANCE CAPITALISM (Cynthia A. Williams & Peer Zumbansen eds., 2011)).

EDUCATION

FORDHAM UNIVERSITY SCHOOL OF LAW — **New York, NY**
Juris Doctor, *Summa Cum Laude.* — **MAY 2009**
G.P.A.: 3.9 (First in a class of 468).
- Notes & Articles Editor, Fordham Law Review.

UNIVERSITY OF ROCHESTER, SIMON GRADUATE SCHOOL OF BUSINESS — **Rochester, NY**
Master of Business Administration, Competitive and Organizational Strategy. — **MARCH 1997**
- Specialized in the application of financial-economic agency theory to business situations.
- Dean's list; 70% merit scholarship; selected to mentor first-year students.

THE COOPER UNION SCHOOL OF ENGINEERING — **New York, NY**
Bachelor of Engineering, Civil Engineering. — **MAY 1995**
- Dean's list; Full scholarship.

LEGAL EXPERIENCE

CRAVATH, SWAINE & MOORE — **New York, NY**
Associate, Bankruptcy & Restructuring — **12/10 – 8/11**
Summer Associate, Bankruptcy & Restructuring and Litigation — **SUMMER 2008**
- Represented a major derivatives creditor in Lehman Brothers' bankruptcy and handled other bankruptcy matters.
- Worked on restructuring transactions involving major American corporations.
- Assisted other Corporate Department groups with bankruptcy and restructuring matters.

HON. HARRIS L. HARTZ, U.S. COURT OF APPEALS FOR THE TENTH CIRCUIT — **Albuquerque, NM**
Law Clerk — **8/09 – 7/10**

HON. JOSE L. LINARES, U.S. DISTRICT COURT, DISTRICT OF NEW JERSEY — **Newark, NJ**
Judicial Intern — **SUMMER 2007**

HON. NOVALYN L. WINFIELD, U.S. BANKRUPTCY COURT, DISTRICT OF NEW JERSEY — **Newark, NJ**
Judicial Intern — **SUMMER 2007**

BUSINESS EXPERIENCE

GRENFELL CONSULTING — **New York, NY**
Owner/Management Consultant — **9/01 – 2/07**
Clients included:

Pictet & Cie., e-Business Group — **Geneva, Switzerland**
Pictet & Cie. is one of the oldest private banks in Switzerland.
- Created a strategy for the wireless delivery of financial information that adhered to Swiss banking-secrecy laws.

Blister, LLC — **New York, NY**
- Advised creative advertising business in its startup phase, helping to grow its revenues from $36,000 in its first year to over $800,000 in its second.

Office of the Mayor, City of New York — **New York, NY**
- Oversaw projects for a $9 billion capital program.
- Taught training classes to City employees and vendors on the City's financial systems and business processes.

JPMorgan Chase & Co. — **New York, NY**
- Analyzed the businesses of banks acquired via merger to identify synergies and areas for system integration.

CLICKTHINGS — **New York, NY**
Manager, Professional Services — **5/00 – 1/01**
ClickThings developed information-distribution technology for the business-services market.
- Created plans for entering new markets via reseller partnerships by analyzing clients' and competitors' strategies.

AMERICAN MANAGEMENT SYSTEMS — **New York, NY**
Senior Business Analyst — **6/97 – 5/00**
- Led a team of consultants in creating a business model that integrated budgeting, procurement, and accounting activities, enabling the City of New York to match forecasts with expenditures for the first time in its history.

CREDIT SUISSE FIRST BOSTON — **New York, NY**
Change Management Coordinator, Fixed Income Division — **9/94 – 1/97**
(Worked half-time while classes were in session, full-time during winter, spring, and summer recesses.)

OTHER

BAR ADMISSIONS: New York, U.S. Court of Appeals for the Tenth Circuit.

COMMUNITY SERVICE: Provided **Carbondale New School** with *pro bono* advisory work on contract-related matters; provided *pro bono* consulting services to **NYCwireless**, a nonprofit organization devoted to bringing free wireless Internet access to public spaces.

LANGUAGES: Fluent in conversational **Hungarian**, basic understanding of **French**.